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OCT 26 2004

**FAX COVER SHEET**

**TO:**

Examiner Ahmad Nasser

Art Unit 1772

RE: 09/540,941

**FROM:**

Peter Loffler

**DATE:**

10/26/2004

**FAX NUMBER:**

(703) 872-9310

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

APPLICANT :Allen J. Klein ) ART UNIT: 1772  
SERIAL NO.: 09/540,941 ) EXAMINER: Ahmad Nasser  
FILED : 03/31/2000 )

THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, DC 20231

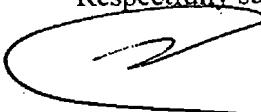
**NOTICE OF WITHDRAWAL/REQUEST FOR APPROVAL**

Peter Loffler, undersigned attorney of record in the above-styled application requests permission to withdrawal as attorney of record and in support thereof says that:

1. Applicant has failed to pay for legal services that have been rendered and has failed to reimburse undersigned for costs advanced by undersigned on Applicant's behalf.
2. An appeal is currently pending before the Board of Patent Appeals and Interference. Applicant has filed his initial brief and there are no outstanding actions currently due from Applicant. Coincident with this Notice, undersigned is providing Applicant with instructions for responding to the Office Action with any necessary documents in undersigned's file having been already provided to Applicant.

WHEREFORE undersigned respectfully requests approval to withdraw from this case.

Respectfully submitted,

  
Peter Loffler  
Registration no. 35,751  
P.O. Box 1001  
Niceville, Florida 32588-1001  
(850) 729-1520

**CERTIFICATE OF TRANSMISSION**

I HEREBY CERTIFY that the foregoing was faxed to the Commissioner of Patents and Trademarks, Art Unit 1772, fax number (703) 872-9310, this 26th day of October, 2004.



Peter Loffler

cc: Applicant Allen J. Klein  
3700 9th Avenue North  
Apartment D37  
St. Petersburg, FL 33713

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